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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/48/L.29, A/48/L.30, A/48/L.31/Rev.1 and Rev.1/Add.1 and A/48/L.36 and Add.1)]

48/159. Elimination of apartheid and establishment of a united, democratic and non-racial South Africa

A

International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa

The General Assembly,

Recalling the Declaration on Apartheid and its Destructive Consequences in Southern Africa, set forth in the annex to its resolution S-16/1, adopted by consensus on 14 December 1989,

Also recalling its resolution 48/1 of 8 October 1993 on the lifting of sanctions against South Africa,

Further recalling the initiative of the Organization of African Unity to place before the Security Council the question of violence in South Africa,

Recalling with satisfaction Security Council resolutions 765 (1992) of 16 July 1992, and 772 (1992) of 17 August 1992, in which the Council authorized the deployment of the United Nations Observer Mission in South Africa and invited the deployment there of observers from the Organization of

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African Unity, the Commonwealth and the European Community 1/

Welcoming the statement of the extraordinary session with Ministers for Foreign Affairs of the Ad Hoc Committee on Southern Africa of the Organization of African Unity, held in New York on 29 September 1993, 2/

Taking note of the report of the Special Committee against Apartheid 3/ and of the report of the Chairman of the Special Committee against Apartheid on his mission to South Africa, 4/ as well as of the report of the Secretary-General on the coordinated approach by the United Nations system on questions relating to South Africa 5/ and the fourth progress report of the Secretary-General on the implementation of the Declaration on Apartheid, 6/

Recognizing the responsibility of the United Nations and the international community, as envisaged in the Declaration on Apartheid, to help the South African people in their legitimate struggle for the total elimination of apartheid through peaceful means,

Noting the agreements reached within the framework of the resumed multi-party negotiations on holding elections on 27 April 1994, and on the establishment of the Transitional Executive Council, the Independent Electoral Commission, the Independent Media Commission and the Independent Broadcasting Authority,

Also noting the endorsement by the parties in the multi-party negotiations of the Constitution for the Transitional Period and the Electoral Bill,

Gravely concerned that continued and escalating violence threatens to undermine the process of peaceful change, through negotiated agreements, to a united, non-racial and democratic South Africa,

Bearing in mind the need to strengthen and reinforce all mechanisms set up to prevent violence in South Africa, and emphasizing the need for all parties to cooperate in combating violence and to exercise restraint,

Encouraging the efforts of all parties, including ongoing talks among them, aimed at establishing arrangements for the transition to a democratic order,

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1/ As from 1 November 1993, when the Treaty on European Union came into effect, the European Community became the European Union.

2/ A/48/461, annex.

3/ To be issued in final form as Official Records of the General Assembly, Forty-eighth Session, Supplement No. 22 (A/48/22).

4/ A/48/202-S/25895, annex.

5/ A/48/467 and Add.1.

6/ A/48/691.

Noting with concern the remaining effects of the acts of destabilization that were committed by South Africa against the neighbouring African States,

1. Welcomes the agreements reached within the framework of the multi-party negotiations on holding elections on 27 April 1994, on the establishment of the Transitional Executive Council, the Independent Electoral Commission, the Independent Media Commission and the Independent Broadcasting Authority, and on the Constitution for the Transitional Period, as well as the Electoral Bill;

2. Strongly urges the South African authorities to exercise fully and impartially the primary responsibility of government to bring to an end the ongoing violence, to protect the lives, security and property of all South Africans in all of South Africa and to promote and protect their right to participate in the democratic process, including the right to demonstrate peacefully in public, to organize and participate in political rallies in all parts of South Africa and to run for election and participate in the elections without intimidation;

3. Calls upon the South African authorities in this context to bring to justice those responsible for acts of violence, to take the necessary measures for the peaceful reincorporation of the "homelands" into South Africa and to ensure that the populations in those territories can freely participate in the elections and that all political parties will be able to run election campaigns there free of intimidation;

4. Calls upon all parties to refrain from acts of violence and to do their utmost to combat violence;

5. Urgently calls upon all signatories to the National Peace Accord 7/ to recommit themselves to the process of peaceful change by fully and effectively implementing its provisions, and by cooperating with each other to that end;

6. Calls upon all other parties to contribute to the achievement of the aims of the National Peace Accord;

7. Commends the Secretary-General for those measures taken to address areas of concern noted in his reports and particularly to assist in strengthening the structures set up under the National Peace Accord, including the deployment of United Nations observers in South Africa, and expresses its appreciation for the activities carried out by the United Nations Observer Mission in South Africa;

8. Supports the recommendation of the Secretary-General for the additional deployment of observers in South Africa to further the purposes of the National Peace Accord, and urges him to continue to address all the areas of concern noted in his report that fall within the purview of the United Nations;

7/ A/47/431-S/24544, annex, annexure I.

9. Welcomes the continuing role of the observers of the Organization of African Unity, the Commonwealth and the European Union 1/ deployed in South Africa;

10. Urges all parties in South Africa, including those which did not participate fully in the multi-party talks, to respect agreements reached during the negotiations, to recommit themselves to democratic principles, to take part in the elections and to resolve outstanding issues by peaceful means only;

11. Calls upon all Governments to observe fully the mandatory arms embargo imposed by the Security Council, requests the Council to continue to monitor effectively the strict implementation of that embargo, and urges States to adhere to the provisions of other Council resolutions on the import of arms from South Africa and the export of equipment and technology destined for military purposes in that country;

12. Demands the immediate release of remaining political prisoners;

13. Appeals to the international community to increase humanitarian and legal assistance to the victims of apartheid, to the returning refugees and exiles and to released political prisoners;

14. Calls upon the international community to continue to assist disadvantaged South African democratic anti-apartheid organizations and individuals in the academic, scientific and cultural fields;

15. Also calls upon the international community to assist the non-racial sports bodies in South Africa in redressing the continuing structural inequalities in sports in that country;

16. Strongly urges the international community, following the adoption of resolution 48/1 on 8 October 1993, to respond to the appeal by the people of South Africa for assistance in the economic reconstruction of their country and to ensure that the new South Africa begins its existence on a firm economic base;

17. Appeals to the international community to render all possible assistance to States neighbouring South Africa to enable them to recover from the effects of past acts of destabilization and to contribute to the stability and prosperity of the subregion;

18. Calls upon the Secretary-General to respond promptly and positively to a request for electoral assistance from the transitional authorities in South Africa, bearing in mind that the elections are set for 27 April 1994;

19. Requests the Secretary-General to accelerate planning for a United Nations role in the election process, in consultation with the Security Council and in coordination with the observer missions of the Organization of African Unity, the Commonwealth and the European Union;

20. Also requests the Secretary-General to take the necessary measures for the initiation and coordination among the United Nations and its agencies of detailed planning for programmes of socio-economic assistance, particularly in the areas of human resource development, employment, health and housing,

and to ensure also that those programmes are coordinated with other international agencies and with legitimate non-racial structures in South Africa;

21. Commends the Secretary-General of the United Nations and the Secretary-General of the Commonwealth for their initiative to start planning for an international donors' conference on human resource development for post-apartheid South Africa, to take place following the election of a non-racial and democratic Government;

22. Calls upon the international community to continue to exercise vigilance with respect to developments in South Africa to ensure that the common objective of the people of South Africa and the international community is achieved, without deviation or obstruction, by the establishment of a united, non-racial and democratic South Africa.

85th plenary meeting
20 December 1993

B

Programme of work of the Special Committee against Apartheid

The General Assembly,

Having considered the report of the Special Committee against Apartheid, 3/

Recognizing the important role that the Special Committee has held in mobilizing international support for the elimination of apartheid and in promoting an international consensus on this critical issue, as reflected in the adoption by consensus on 14 December 1989 of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 8/ in General Assembly decision 45/457 B of 13 September 1991 and in Assembly resolutions 45/176 A of 19 December 1990, 46/79 A of 13 December 1991 and 47/116 A and B of 18 December 1992,

1. Takes note with appreciation of the report of the Special Committee against Apartheid on its work, under its mandate, in support of the peaceful elimination of apartheid through the process of a negotiated transition of South Africa to a democratic, non-racial society;

2. Also takes note with appreciation of the report of the Chairman of the Special Committee on his mission, together with a delegation of the Committee, to South Africa from 1 to 11 March 1993; 4/

3. Commends the Special Committee for organizing, together with the Institute for a Democratic Alternative for South Africa and the Institute for Multi-Party Democracy, the Symposium on Political Tolerance in South Africa:

8/ General Assembly resolution S-16/1, annex.

Role of Opinion-Makers and Media, which was held at Cape Town from 30 July to 1 August 1993;

4. Authorizes the Special Committee, until the completion of its mandate following the establishment of a democratically elected non-racial Government in South Africa:

(a) To follow closely developments in South Africa;

(b) To continue to facilitate a peaceful and stable transition in South Africa by promoting international assistance in helping South Africans to overcome the negative social and economic consequences of the policies of apartheid;

(c) To maintain contacts with academic institutions and the labour, business and civic communities, including community-based and other non-governmental organizations in South Africa;

(d) To consult with the parties participating in the political process, with legitimate non-racial structures and with a democratically elected non-racial Government with a view to facilitating the resumption of the participation of South Africa in the work of the General Assembly;

(e) To submit, as soon as possible following the establishment of a democratically elected non-racial Government, a final report to the General Assembly;

(f) To undertake other relevant activities aimed at supporting the political process of peaceful change until a democratically elected non-racial Government has been established in South Africa;

5. Expresses appreciation for the cooperation extended to the Special Committee by Governments, intergovernmental and non-governmental organizations and relevant components of the United Nations system, and invites them to continue their cooperation;

6. Decides that the special allocation of 240,000 United States dollars to the Special Committee for 1994 from the regular budget of the United Nations should be used towards the cost of special projects aimed at promoting the process towards the elimination of apartheid through the establishment of a democratically elected and non-racial Government in South Africa;

7. Also decides to continue to authorize adequate financial provision in the regular budget of the United Nations to enable the African National Congress of South Africa and the Pan Africanist Congress of Azania to maintain offices in New York so that they may participate effectively in the deliberations of the Special Committee and in deliberations relating to the situation in South Africa in other relevant United Nations bodies, on the understanding that such grants will continue until the situation of the two organizations as political parties has been regularized.

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C

Work of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, 9/

Recalling its resolutions 47/116 D of 18 December 1992 and 48/1 of 8 October 1993,

Welcoming the establishment of the Transitional Executive Council in South Africa,

1. Takes note with appreciation of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products and endorses its recommendations; 10/

2. Decides to terminate the mandate of the Intergovernmental Group as of the date of the adoption of the present resolution;

3. Requests the Secretary-General to issue by 30 January 1994, as addenda to the report of the Intergovernmental Group, the responses of States to requests addressed to them regarding the cases contained in the annexes to that report.

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20 December 1993

D

United Nations Trust Fund for South Africa

The General Assembly,

Recalling its resolutions on the United Nations Trust Fund for South Africa, in particular resolution 47/116 C of 18 December 1992,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa, 11/ to which is annexed the report of the Committee of Trustees of the Trust Fund,

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9/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 43 (A/48/43).

10/ Ibid., sect. IV.B.

11/ A/48/523.

Taking note of its resolution 46/79 F, adopted without a vote on 13 December 1991, in particular paragraph 3, relating to assistance by the Trust Fund for work in the legal field,

Welcoming the agreements reached within the framework of the resumed multi-party negotiations and approved by Parliament to hold elections in 1994 on the basis of universal suffrage and to establish a Transitional Executive Council, as well as legislative and other measures adopted to promote free political activity in the run-up to free and fair elections,

Recognizing the work being carried out by broad-based, impartial voluntary organizations inside South Africa in providing legal and humanitarian assistance to victims of apartheid and racial discrimination, and noting with satisfaction the working relationship that the Trust Fund has established with those South African organizations,

Concerned about continued political violence and the dangers it represents for the democratic process and for the country at large,

Convinced that the time is nearing when South African authorities, within new, non-racial and democratic structures, will take responsibility for matters which have been within the mandate of the Trust Fund,

1. Endorses the report of the Secretary-General on the United Nations Trust Fund for South Africa;

2. Supports continued humanitarian, legal and educational assistance by the international community towards alleviating the plight of victims of apartheid in South Africa and towards facilitating the reintegration of released political prisoners and returning exiles into South African society;

3. Endorses the decision of the Trust Fund to channel its assistance through appropriate non-governmental organizations inside South Africa;

4. Expresses its appreciation to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of apartheid in South Africa;

5. Expresses its conviction that the Trust Fund has an important role to play during the final stage of the elimination of apartheid by assisting efforts in the legal field aimed at ensuring effective implementation of legislation repealing major apartheid laws, redressing the continuing adverse effects of those laws and encouraging increased public confidence in the role of law, and, therefore, appeals for generous contributions to the Fund;

6. Commends the Secretary-General and the Committee of Trustees of the Trust Fund for their persistent and worthy efforts throughout the years to promote humanitarian and legal assistance to the victims of apartheid and racial discrimination.

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